UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS



AETNA LIFE INSURANCE COMPANY, Plaintiff,

v.

MARY T. COSMAN and HARRY P. COSMAN,

Civil Action No. 04-11046-RGS

Defendants.

STIPULATION OF DISMISSAL

Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, plaintiff,
Aetna Life insurance Company ("Aetna) and defendants Mary T. Cosman and Harry P.
Cosman hereby stipulate and agree that this action, including any claims, counterclaims or cross claims, be dismissed with prejudice and without costs, waiving all rights of appeal as well as notice under Fed. R. Civ. P. 77(d).

AETNA LIFE INSURANCE COMPANY By its attorney,

MARY T. COSMAN, By her attorney,

(978) 777-7733

Edward P. O'Leary, BBO#551932 Fitzhugh, Parker & Alvaro, LLP

155 Federal Street Boston, MA 02110 (617) 695-2330 David C. McBride, BBO#326910 Law Office of David C. McBride 19 Cherry Street Danvers, MA 01923 HARRY P. COSMAN,

By his attorney,

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Dated: November 29/2004